

HARNES, DICKEY & PIERCE, P.L.C.

Attorneys and Counselors
5445 Corporate Drive, Suite 400
Troy, Michigan 48098-2683
Phone: 248-641-1600
Fax: 248-641-0270
St. Louis, MO • Washington, D.C.

DATE: January 13, 2003

No. of PAGES (INCLUDING THIS PAGE): 2

FOR: Examiner Catellano

COMPANY: USPTO

FAX No.: 703-746-4225

PHONE:

ORIGINAL WILL FOLLOW BY:

- ☐ REGULAR MAIL
☐ OVERNIGHT MAIL
☐ COURIER
☒ WILL NOT FOLLOW

FROM: Ryan W. Massey

Please let us know by phone or fax if you do not receive any of these pages.

COMMENTS:

Serial No. 09/840,278

RE: meeting on Wednesday, January 15, 2003 - Items for Discussion

*** NOTICE ***

The information contained in this telefax transmission is intended only for the individual to whom or entity to which it is addressed. It may also contain privileged, confidential, attorney work product or trade secret information which is protected by law. If the reader of this message is not the intended recipient, or an employee or agent responsible for delivering the message to the addressee, the reader is hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the address above via the U.S. Postal Service. We will reimburse you for any reasonable expense (including postage) for the return of the original message.

09/840,278

Items for discussion:

Claims 4 and 13, Neither Daneshvar or Ratcliff appear to disclose first and second lid portions including respective first and second latches for engaging the lids to a respective one of the base and cover portions.

Daneshvar discloses both "lids" being engaged to the cover and not to the base and fails to show a slidable latch for each lid.

Ratcliff discloses two lids, both of which are associated with the base and includes only a single rotatable latch for engaging both lids to the base.

Claim 7, Neither Daneshvar or Ratcliff appear to disclose an adjustable divider for selectively positioning between locating tabs on an internal lateral divider wall.

Claims 10 and 16, the disclosures of Takama and Spencer do not appear to show a removable spacer with first and second end sections having a larger cross section than a middle section and the end sections having recessed portions in an end face thereof receiving at least one of said series of tabs. Modifying Takama view of Spencer doesn't make sense in view of the relative size differences between each. Such a modification would improperly modify the intended purpose of the narrow flexible dividers of Takama.

Claim 21, Ratcliff does not appear to disclose a latch coupled to the lid body and slidable between locked and unlocked positions. Applicants further submit that raised lips on an inner lid are not well known.

rotatable latch SS is coupled to the lid body

Ratcliff's rotatable latch slides w.r.t. lids

see Fig. 13, 14
individual discussion not responsible
? I don't understand relative size difference
although Spencer seems to be a larger crate while Takama seems smaller as a tray

For claim 1, Schmitt v. German ref. # (645.9) to ~~St...~~
series of hinge sections for base, cover
& inner lids

Ratcliff v. Teague for cl. 21